

## DECLARATION FOR PATENT APPLICATION

Docket: D-2872CIP

As a below named inventor, I hereby declare that:

My residence post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **RACK MOUNTABLE POWER DISTRIBUTION APPARATUS** the specification of which

(check one)      ☒ is attached hereto  
                         ☐ was filed on  
   as US Application Serial Number

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.      **NONE**

Prior Foreign Application(s)

Priority Not Claimed

☐

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.      **NONE**

(Application Number)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365<sup>o</sup> of any PCT International application designation the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

09/469,978

December 21, 1999

Pending

(Application Number)

(Filing Date)

(Status -patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Frank J. Uxa, Reg. No. 25,612; Donald E. Stout, Reg. No. 34,493; Robert D. Buyan, Reg. No. 32,460; Kenton R. Mullins, Reg. No. 36,331; Philip H. Haymond, Reg. No. 38,177; Guy Cumberbatch, Reg. No. 36,114; Jo Anne M. Ybaben, Reg. No. 42,243


Address all telephone calls to  
Address all correspondence to

Frank J. Uxa at telephone number (949) 450-1750  
Frank J. Uxa  
4 Venture, Suite 300  
Irvine, CA 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name)      **SHAMEL A. BERSIEK**

Inventor's signature



Date

12/65/00

Residence  
Post Office Address

LAGUNA HILLS, CALIFORNIA  
25615 Elm Bank  
Laguna Hills, CA 92653

Citizenship U.S.A.

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c) - SMALL BUSINESS CONCERN

Applicant or Patentee: **BERSIEK**

Attorney's

Serial or Patent No.:

Docket No. **D-2872CIP**

Filed or Issued: **HEREWITH**

Title: **RACK MOUNTABLE POWER DISTRIBUTION APPARATUS**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **S & S POWER ENGINEERING**  
ADDRESS OF SMALL BUSINESS CONCERN: **26822 Vista Terrace**  
**Lake Forest, CA 92630**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121.12, and reproduced in 37 CFR 1.0(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9© if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization  
☐ each such person, concern or organization listed below

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR

Applicant or Patentee: **BERSIEK**

Serial or Patent No.:

Docket No. **D-2872CIP**

Filed or Issued:

Title: **RACK MOUNTABLE POWER DISTRIBUTION APPARATUS**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9<sup>o</sup> for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **RACK MOUNTABLE POWER DISTRIBUTION APPARATUS** described in

☒ the specification filed herewith

☐ application serial no.

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9<sup>o</sup> if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization

☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME **S & S POWER ENGINEERING**  
ADDRESS **26822 Vista Terrace**  
**Lake Forest, CA 92630**

☐ INDIVIDUAL

☒ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR:

NAME OF INVENTOR:

NAME OF INVENTOR:

**SHAMEL A. BERSIEK**



SIGNATURE OF INVENTOR

SIGNATURE OF INVENTOR

SIGNATURE OF INVENTOR

DATE

DATE


DATE

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

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Name of Person Signing: **Shamel A. Bersiek**  
Title of Person if Other Than Owner:  
Address of Person Signing: 25615 Elm Bank  
Laguna Hills, CA 92653

  
\_\_\_\_\_  
Signature

DATED: 12/05/00